

LABOR SERVICES DIVISION[875]

Adopted and Filed

Rule making related to emergency temporary standard related to COVID-19

The Labor Commissioner hereby amends Chapter 10, “General Industry Safety and Health Rules,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 88.5.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 88.

Purpose and Summary

The Iowa Labor Commissioner is required to adopt by reference changes to the U.S. Department of Labor’s occupational safety and health standards. This rule making adopts by reference federal OSHA’s emergency temporary standard (ETS) related to the COVID-19 pandemic. The ETS applies only to certain locations where health care services are provided, and it is set to expire after six months.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 11, 2021, as **ARC 5846C**. This rule making was also adopted and filed emergency and published in the Iowa Administrative Bulletin as **ARC 5847C** on the same date. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commissioner on September 15, 2021.

Fiscal Impact

In the Federal Register, the U.S. Department of Labor published a large amount of data as part of its economic analysis. The analysis concluded the ETS is economically feasible and the benefits far outweigh the costs. However, data specific to Iowa is not available.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commissioner for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 5.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on November 10, 2021, at which time the Adopted and Filed Emergency rule making is hereby rescinded.

The following rule-making action is adopted:

Amend rule **875—10.20(88)** by inserting the following at the end thereof:
86 Fed. Reg. 32620 (June 22, 2021)

[Filed 9/15/21, effective 11/10/21]

[Published 10/6/21]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/6/21.